

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALEJA MANUFACTURING, INC.,	:	
Plaintiff,	:	
	:	<u>ORDER</u>
v.	:	
	:	20 CV 6630 (VB)
POP DISPLAYS USA, LLC,	:	
Defendant.	:	
-----X		

Plaintiff brings this action invoking subject matter jurisdiction by reason of diversity of citizenship under 28 U.S.C. § 1332.

To invoke diversity jurisdiction under 28 U.S.C. § 1332, there must be complete diversity of citizenship. Caterpillar Inc. v. Lewis, 519 U.S. 61, 68 (1996). Thus, 28 U.S.C. § 1332 “applies only to cases in which the citizenship of each plaintiff is diverse from the citizenship of each defendant.” Id.; see also Lincoln Prop. Co. v. Roche, 546 U.S. 81, 89 (2005).

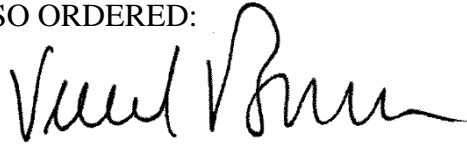
“[A] corporation shall be deemed to be a citizen of any State . . . by which it has been incorporated and of the State . . . where it has its principal place of business.” 28 U.S.C. 1332(c)(1); see also Hertz Corp. v. Friend, 559 U.S. 77, 80 (2010). A limited liability company (“LLC”) has the citizenship of each of its individual or entity members. Handelsman v. Bedford Vill. Assocs. Ltd. P’ship, 213 F.3d 48, 51-52 (2d Cir. 2000).

The complaint alleges defendant POP Displays USA, LLC, is a “corporation” incorporated in Delaware with its principal place of business in New York. However, it appears from the “LLC” abbreviation at the end of defendant’s name that it is a limited liability company for which plaintiff must allege the citizenship of each individual or entity member in order properly to allege defendant’s citizenship.

Accordingly, by August 28, 2020, plaintiff's counsel shall submit a letter explaining in detail the basis for defendant's citizenship.

Dated: August 21, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

Vincent L. Briccetti
United States District Judge